

Message Text

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PAGE 01 STATE 263328

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ORIGIN OES-06

INFO OCT-01 EUR-12 ISO-00 L-03 NSF-01 ABF-01 TRSE-00 FS-01

/025 R

DRAFTED BY OES/APT/SEP:WAROOT:DBU

APPROVED BY OES/APT/SEP:WAROOT

L/OES:CSIEGAL (DRAFT)

NSF:RBRAINARD (SUBS)

A/BF/FC:RWHITENER (DRAFT)

EUR/EE:ILSANDERS (DRAFT)

TREASURY:ESCHWARTZ (INFO)

----- 071116

R 231238Z OCT 76

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW

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E.O. 11652:N/A

TAGS: TGEN, ABUD, OSCI, PL, US

SUBJECT:SFCP:SCIENCE PROGRAM: ARRANGEMENT ON TRAVEL COSTS
AND PROCEDURE FOR FINANCING SUPPORT COSTS

REF: A) WARSAW 7340; B) WARSAW 7341

1. REQUEST EMBASSY SEEK POLISH AGREEMENT TO FOLLOWING
AMENDMENTS TO REF A TEXT:

A1. CHANGE "U.S." TO "UNITED STATES"

A1. CHANGE "INTO THE JOINT FUND MADE BY BOTH COUNTRIES" TO
"MADE BY BOTH COUNTRIES INTO THE JOINT FUND"

A2. REVISE TO READ: "THE UNITED STATES AND POLAND SHALL EX-
PEDITE DURING 1976 THE PROCESSING OF DOCUMENTS NEEDED TO
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PAGE 02 STATE 263328

SERVE AS THE BASIS FOR OBLIGATING UNITED STATES FUNDS FOR

PROJECTS WHICH ARE NOT NOW DEPENDENT UPON POLISH DEPOSITS."

A4. AFTER "AIR FARES" INSERT "SHALL NOT EXCEED \$1,250,000
AND SHALL BE PROVIDED BY" (INADVERTENTLY OMITTED FROM REF A)

A4. CHANGE "LIKE" TO "IDENTICAL"

A7. ADD AT THE END "PLUS THOSE PORTIONS OF AMOUNTS
APPROVED FOR PROJECTS AGREED PRIOR TO JULY 1, 1973, WHICH
ARE EXCESS TO THE NEEDS OF THOSE PROJECTS"

A8. CHANGE "FROM ONLY" TO "WHOLLY FROM"

B2. CHANGE "SUPPORT ITEMS" TO "ITEMS (HEREINAFTER CALLED
'SUPPORT ITEMS')"

B2(A). INSERT "WHOLLY" BEFORE "UNITED STATES FINANCED" AND
INSERT "WHOLLY" BEFORE "POLISH FINANCED"

B2(C). CHANGE "UNITED STATES ADMINISTRATIVE EXPENSES" TO
"ADMINISTRATIVE EXPENSES OF THE JOINT FUND COUNTERSIGNER"

B5. INSERT "TO" AFTER "AGREED"

B8. CHANGE "ITEMS" TO "PARAGRAPHS"

B9. CHANGE "ITEM" TO "PARAGRAPH"

B10. CHANGE "ITEM B2(A)" TO "S'B-PARAGRAPH B2(A)" AND
CHANGE "ITEM A4" TO "PARAGRAPH A4"

B11. DELETE "UNITED STATES" AND DELETE "POLISH"

B12. REVISE TO READ "THE COUNTERSIGNER SHALL PAY AMERICAN
TRAVELERS PER DIEM TO COVER MEALS AND LODGING AT THE RATES
OF 1,080 ZLOTYS FOR EACH FULL DAY PLUS 270 ZLOTYS FOR EACH
ADDITIONAL SIX HOURS OR FRACTION THEREOF. DAYS AND HOURS
SHALL BE CALCULATED FROM THE TIME OF ARRIVAL IN POLAND
UNTIL THE TIME OF DEPARTURE FROM POLAND. IN INSTANCES
WHERE THE AVERAGE ACTUAL DAILY RATE FOR ALL HOTEL LODGING
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PAGE 03 STATE 263328

IN POLAND FOR A TRAVELER IS UNAVOIDABLY IN EXCESS OF 760
ZLOTYS, THE COUNTERSIGNER MAY PAY SUCH A TRAVELER, IN LIEU
OF PER DIEM, AN AMOUNT EQUAL TO THE ACTUAL COST OF HOTEL
LODGING AND THE ACTUAL COST OF MEALS FOR THE ENTIRE
SOJOURN IN POLAND. THESE RATES MAY BE REVISED BY AGREEMENT
EFFECTED BY AN EXCHANGE OF LETTERS BETWEEN THE SCIENCE
OFFICE AT THE AMERICAN EMBASSY IN WARSAW AND THE POLISH
MINISTRY OF FINANCE."

B13. REVISE TO READ: "THE COUNTERSIGNER SHALL ADVANCE TO AMERICAN TRAVELERS ON THEIR ARRIVAL IN POLAND AMOUNTS BASED ON THE RATES SET PURSUANT TO PARAGRAPH B12 FOR THE ESTIMATED DURATION OF THE TRIP PLUS AMOUNTS TO COVER ESTIMATED EXPENSES FOR OFFICIAL TRAVEL WITHIN POLAND AND FOR OFFICIAL COMMUNICATIONS NECESSARY FOR THE FURTHERANCE OF THE COOPERATIVE PROJECT. AFTER TRIPS ARE CONCLUDED,

AMERICAN TRAVELERS SHALL SUBMIT ITEMIZED ACCOUNTINGS OF ACTUAL EXPENSES AND RETURN UNUSED BALANCES OF FUNDS ADVANCED. FOR THIS PURPOSE 'ACTUAL EXPENSES' MEANS PER DIEM FOR THE ACTUAL DURATION OF THE TRIP, COMPUTED IN ACCORDANCE WITH PARAGRAPH B12, PLUS AMOUNTS ACTUALLY SPENT FOR OFFICIAL TRAVEL WITHIN POLAND AND FOR OFFICIAL COMMUNICATIONS. AMOUNTS FOR TRAVEL AND FOR COMMUNICATIONS AND FOR HOTEL LODGING AND MEALS WHERE THE OPTION OF ACTUAL COST OF HOTEL LODGING AND MEALS IS USED SHALL BE EVIDENCED BY RECEIPTS WHERE FEASIBLE."

B14. REVISE TO READ: "THE COUNTERSIGNER SHALL, FOR EACH PROJECT, RETURN TO THE PARENT JOINT FUND ANY BALANCES WHICH THE SIGNATORIES TO THE PROJECT AGREEMENT DETERMINE TO BE NO LONGER NEEDED FOR THESE SUPPORT COSTS, SUCH BALANCES THEREBY BECOMING AVAILABLE FOR OTHER PURPOSES OF THE PROJECT OR FOR OTHER USE IN ACCORDANCE WITH PARAGRAPH 9(D) OF THE 'PRINCIPLES GOVERNING JOINT UNITED STATES-POLISH RESEARCH AGREEMENTS FINANCED BY THE MARIA SKLODOWSKA-CURIE FUND."

IN BOTH LETTERS CHANGE "PARTS A1 THROUGH A5" TO "PARAGRAPHS A1 THROUGH A5" AND CHANGE "PARTS A6 THROUGH A8" LIMITED OFFICIAL USE

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PAGE 04 STATE 263328

TO "PARAGRAPHS A6 THROUGH A8"

2. EXPLANATION FOR SUBSTANTIVE CHANGES PROPOSED ABOVE:

A7. IN CASES WHERE PRE-JOINT FUND OBLIGATIONS PROVE TO BE HIGHER THAN NEEDED, THE BALANCES ARE EVENTUALLY DEOBLIGATED. IF THIS IS DONE BEFORE DECEMBER 31, 1976, THESE BALANCES MAY BE REOBLIGATED FOR JOINT FUND ACTIVITIES.

B12 AND 13. THE OPTION OF PAYMENT FOR ACTUAL EXPENSES FOR HOTEL LODGING AND MEALS IS CONSISTENT WITH EXISTING US REGULATIONS. PROVISION FOR SUCH AN OPTION IS IMPORTANT IN THE POLISH CONTEXT BECAUSE TRAVELERS TO POLAND OFTEN HAVE NO CHOICE BUT TO STAY IN EXPENSIVE HOTELS, ESPECIALLY IN WARSAW. THE PHRASE "FOR THE ENTIRE SOJOURN IN POLAND" IS

TO PRECLUDE A TRAVELER FROM OPTING FOR ACTUAL EXPENSES WHERE HOTEL RATES ARE HIGH, E.G. WARSAW, AND PER DIEM WHERE HOTEL RATES ARE LOWER, E.G. OUTSIDE OF WARSAW. THE 760 ZLOTYS AVERAGE HOTEL COST WHICH COLD TRIGGER THE ACTUAL EXPENSES OPTION IS BASED ON 1,080 ZLOTYS MINUS ESTIMATES OF 120 ZLOTYS FOR LUNCH AND 200 ZLOTYS FOR DINNER, WHICH ARE COMPONENTS IN THE CALCULATION SUPPORTING THE 1,080 ZLOTYS PER DIEM RATE. THE ACTUAL EXPENSES OPTION INCLUDES MEALS BECAUSE MORE EXPENSIVE HOTELS USUALLY ALSO CHARGE MORE FOR MEALS ALSO. THE "IN LIEU OF PER DIEM" PHRASE MEANS THAT, IF ACTUAL EXPENSES ARE PAID FOR HOTEL LODGING,

PAYMENT FOR MEALS MUST ALSO BE ON AN ACTUAL EXPENSES BASIS.

3. IF THE POLES ARE RELUCTANT TO INCLUDE THE ACTUAL EXPENSES OPTION IN THIS DOCUMENT, IT WOULD BE SATISFACTORY TO EXCHANGE SIMULTANEOUSLY SEPARATE LETTERS BETWEEN THE EMBASSY SCIENCE OFFICE AND THE FINANCE MINISTRY, PER THE LAST SENTENCE OF B12, TO OBTAIN THE SAME RESULTS.

4. DID THE POLES RESPOND TO THE DRAFT ON OCTOBER 20 AS THEY HAD PROMISED TO DO? IF SO, WHAT DID THEY SAY? A FINAL POSITION FROM TREASURY IS EXPECTED SHORTLY. ROBINSON

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